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# NOTICE OF ALLOWANCE AND FEE(S) DUE

PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER
SIVJI, NIZAR N

ART UNIT PAPER NUMBER

2617

DATE MAILED: 07/22/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599.858	10/12/2006	Matthew P.J. Baker	GB 040090	5815

TITLE OF INVENTION: ALLOCATION OF ACCESS SLOTS TO MOBILE STATIONS IN ORDER TO COUNT THE NUMBER OF STATIONS INTERESTED IN A MBMS (MULTIMEDIA BROADCAST/MULTICAST SERVICE)

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	10/24/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY PERIOD CANNOT BE EXTENDED.</u> SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

#### PART B - FEE(S) TRANSMITTAL

### Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

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appropriate. All further ondicated unless correcte maintenance fee notificat	correspondence includir d below or directed otl	ng the Patent, advance of herwise in Block 1, by (a	rders and notification of a) specifying a new corr	maintenance fees was espondence address;	ill be mailed to the current and/or (b) indicating a sep	t correspondence address as arate "FEE ADDRESS" for	
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APPLICATION NO.	FILING DATE		FIRST NAMED INVENTO	R	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/599,858	10/12/2006	•	Matthew P.J. Baker	•	GB 040090	5815	
NTERESTED IN A MB	MS (MULTIMEDIA BI	ROADCAST/MULTICAS	ST SERVICE)	_	NT THE NUMBER OF S		
APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE				
nonprovisional	NO	\$1510	\$300	\$0	\$1810	10/24/2011	
EXAM	INER	ART UNIT	CLASS-SUBCLASS				
SIVJI, NI	IZAR N	2617	370-336000				
"Fee Address" indi PTO/SB/47; Rev 03-0: Number is required.  3. ASSIGNEE NAME AND PLEASE NOTE: Unlo	cation (or "Fee Address 2 or more recent) attach ND RESIDENCE DATA ess an assignee is ident n in 37 CFR 3.11. Com	ed. Use of a Customer  A TO BE PRINTED ON T	data will appear on the	to 3 registered patent tively, gle firm (having as a agent) and the name torneys or agents. If r e printed. ype) patent. If an assigne n assignment.	member a 2 so fup to to name is 3 te is identified below, the contact of the state	locument has been filed for	
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a. Applicant claims	us (from status indicate SMALL ENTITY state	us. See 37 CFR 1.27.	☐ b. Applicant is no lo	onger claiming SMAL	L ENTITY status. See 37 C		
NOTE: The Issue Fee and naterest as shown by the r	l Publication Fee (if req ecords of the United Sta	uired) will not be accepte tes Patent and Trademark	d from anyone other than COffice.	the applicant; a regis	tered attorney or agent; or t	he assignee or other party in	
Authorized Signature				Date			
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10/599,858	10/12/2006	Matthew P.J. Baker	GB 040090 5815		
24737 7590 07/22/2011 PHILIPS INTELLECTUAL PROPERTY & STANDARDS			EXAMINER		
			SIVJI, NIZAR N		
P.O. BOX 3001					
BRIARCLIFF MANOR, NY 10510			ART UNIT	PAPER NUMBER	
		2617			

DATE MAILED: 07/22/2011

# Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 410 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 410 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

### **Privacy Act Statement**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

	Application No.	Applicant(s)	
	10/599,858	BAKER ET AL.	
Notice of Allowability	Examiner	Art Unit	
	NIZAR SIVJI	2617	
	NIZAR SIVJI	2017	
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED or other appropriate comministriction is	in this application. If not included nunication will be mailed in due cour	se. THIS
1. $\boxtimes$ This communication is responsive to <u>3/23/2011</u> .			
2. X The allowed claim(s) is/are 1-5,7,8,11-19 and 21-24.			
<ul> <li>3.  Acknowledgment is made of a claim for foreign priority u</li> <li>a)  All b)  Some* c)  None of the:</li> <li>1.  Certified copies of the priority documents have</li> </ul>		) or (f).	
□ Certified copies of the priority documents hav		ion No	
3. ☐ Copies of the certified copies of the priority do	• •		from the
International Bureau (PCT Rule 17.2(a)).	ocuments have been receiv	ed III tills flational stage application i	TOTT LITE
* Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		le a reply complying with the require	ments
<ol> <li>A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which giv</li> </ol>			CE OF
5. CORRECTED DRAWINGS ( as "replacement sheets") mu	st be submitted.		
(a) I including changes required by the Notice of Draftsper	son's Patent Drawing Revi	ew ( PTO-948) attached	
1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date	<u>.</u>		
<ul><li>(b) ☐ including changes required by the attached Examiner Paper No./Mail Date</li></ul>	's Amendment / Comment	or in the Office action of	
Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in			k) of
6. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT			the
Attachment(s) 1. ☐ Notice of References Cited (PTO-892)	5 🗖 Notice of	Informal Patant Application	
<ol> <li>Induce of References Cited (FTO-892)</li> <li>Induce of Draftperson's Patent Drawing Review (PTO-948)</li> </ol>		Informal Patent Application Summary (PTO-413),	
· · · · · · · · · · · · · · · · · · ·	Paper No	o./Mail Date	
<ol> <li>Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 1/28/2011</li> </ol>	/. 🔼 Examiner	s Amendment/Comment	
4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. 🛚 Examiner	s Statement of Reasons for Allowan	ce
c. Diological material	9. 🔲 Other	<u>_</u> .	
/NIZAR SIVJI/	/George Eng	/	
Examiner, Art Unit 2617	Supervisory F	atent Examiner, Art Unit 2617	

Art Unit: 2617

**DETAILED ACTION** 

**EXAMINER'S AMENDMENT** 

An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Theodosis Kountotsis on 6/30/2011.

The application has been amended as follows:

Claims 6 and 20 are canceled.

1. (Currently Amended) A method of operating a radio network, the method comprising:

providing a primary station (PS) and a plurality of secondary stations (SS 1, SS2,

SS3), determining, via the primary station, an estimated level of interest by users of

secondary stations in a service by providing a plurality of random access slots that are

selectively configured for permitting a temporary or permanent allocation of a portion of

the plurality of random access slots based on the estimated level of interest of the users

of the secondary stations, and

indicating, via a secondary station of the plurality of secondary stations, the

estimated level of interest by transmitting a predetermined signal in a preselected one of

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the plurality of random access slots, the estimated level of interest based on at least a threshold value [.];

wherein each access slot of the plurality of random access slots includes a combination of one time slot and one signature, and wherein the primary station maps each of the plurality of random access slots to a different service such that all the secondary stations interested in one service transmit using one of the plurality of random access slots, and in that each combination of one time slot and one signature is contained in not more than one of the plurality of random access slots.

- 7. (Currently Amended) The method as claimed in <u>claim 1</u>, wherein each of the plurality of random access slots uses the same signature and in that each random access slot in the plurality of random access slots uses a different time slot.
- 8. (Currently Amended) The method as claimed in <u>claim 1</u>, wherein each of the plurality of random access slots uses the same time slot and in that each random access slot in the plurality of random access slots uses a different signature.
  - 18. (Currently Amended) A radio network comprising:

a primary station (PS) and a plurality of secondary stations (SSI, SS2, SS3), wherein the primary station (PS) includes means for determining an estimated level of interest by users of secondary stations in a service, the means providing a plurality of random access slots that are selectively configured for permitting a temporary or permanent allocation of a portion of the plurality of random access slots based on the estimated level of interest of the users of the secondary stations,

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wherein a secondary station of the plurality of secondary stations indicates the estimated level of interest by transmitting a predetermined signal in a preselected one of the plurality of random access slots, the estimated level of interest based on at least a threshold value[.]; and

wherein each access slot includes a combination of one time slot and one signature, wherein the primary station (PS) comprises means for mapping each of the plurality of random access slots to a different service such that all the secondary stations interested in one service transmit using one of the plurality of random access slots, and wherein each combination of one time slot and one signature is contained in not more than one of the plurality of random access slots.

23. (Currently Amended) A primary station for use in a radio network comprising: at least one primary station (PS) and a plurality of secondary stations (SS1, SS2, SS3),

wherein the primary station (PS) includes means for determining an estimated level of interest by users of secondary stations in a service, the means providing a plurality of random access slots that are selectively configured for permitting a temporary or permanent allocation of a portion of the plurality of random access slots based on the estimated level of interest of the users of the secondary stations,

wherein a secondary station of the plurality of secondary stations indicates the estimated level of interest by transmitting a predetermined signal in a preselected one of

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the plurality of random access slots, the estimated level of interest based on at least a threshold value[.] ; and

wherein each access slot of the plurality of random access slots includes a combination of one time slot and one signature, and wherein the at least one primary station maps each of the plurality of random access slots to a different service such that the plurality of secondary stations interested in one service transmit using one of the plurality of random access slots, and in that each combination of one time slot and one signature is contained in not more than one of the plurality of random access slots.

24. (Currently Amended) A secondary station for use in a radio network comprising:

a primary station (PS) and a plurality of the secondary stations (SS1, SS2, SS3), wherein the primary station (PS) includes means for determining an estimated level of interest by users of secondary stations in a service, the means providing a plurality of random access slots that are selectively configured for permitting a temporary or permanent allocation of a portion of the plurality of random access slots based on the estimated level of interest of the users of the secondary stations,

wherein a secondary station of the plurality of secondary stations indicates the estimated level of interest by transmitting a predetermined signal in a preselected one of the plurality of random access slots, the estimated level of interest based on at least a threshold value[.]; and

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wherein each access slot of the plurality of random access slots includes a combination of one time slot and one signature, and wherein the primary station maps each of the plurality of random access slots to a different service such that all the secondary stations interested in one service transmit using one of the plurality of random access slots, and in that each combination of one time slot and one signature is contained in not more than one of the plurality of random access slots.

#### **Reason For Allowance**

The following is an examiner's statement of reasons for allowance: The closest prior art Van Heeswyk US Patent No. 6,765, 883 in view of Sinnarajah et al. Pub. No. 2004/0008679 and further in view of Salloum Salazar et al. Patent No. 6,700,878 fail to teach the limitation of "wherein a secondary station of the plurality of secondary stations indicates the estimated level of interest by transmitting a predetermined signal in a preselected one of the plurality of random access slots, the estimated level of interest based on at least a threshold value; and wherein each access slot includes a combination of one time slot and one signature, wherein the primary station (PS) comprises means for mapping each of the plurality of random access slots to a different service such that all the secondary stations interested in one service transmit using one of the plurality of random access slots, and wherein each combination of one time slot and one signature is contained in not more than one of the plurality of random access slots." These limitations, in combination of remaining of elements, were not taught nor suggested by the prior art.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NIZAR SIVJI whose telephone number is (571)270-7462. The examiner can normally be reached on 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2617

Examiner, Art Unit 2617

/George Eng/

Supervisory Patent Examiner, Art Unit 2617